

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America )

v. )

GONZALEZ, Hernan )

Defendant(s)

Case No. C-14-1032 MClerk, U.S. District Court  
Southern District of Texas  
FILED

SEP 29 2014

David J. Bradley, Clerk of Court

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 9/28/2014 in the county of Kenedy in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

Title 21 USC 841 (a) (1)

Unlawfully possess with intent to  
distribute a controlled substance in  
Schedule II of the Controlled Substance  
Act of 1970, to wit 0.40 kilograms of  
cocaine.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

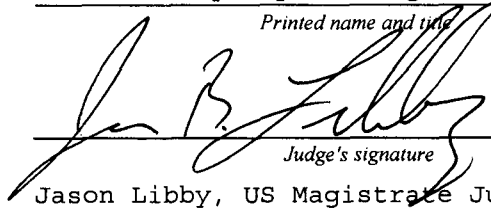
Sworn to before me and signed in my presence.

Date: September 29, 2014City and state: Corpus Christi, Texas

Complainant's signature

David Bishop, Special Agent

Printed name and title



Judge's signature

Jason Libby, US Magistrate Judge

Printed name and title

Attachment A

GONZALEZ, Hernan

On September 28, 2014, Border Patrol Agent J. Ahumada was working the primary lane at the Sarita, Texas, Border Patrol Checkpoint. At approximately 12:15 am, an El Expreso bus arrived at the primary inspection point. BPA Ahumada boarded the bus to conduct immigration interviews on the occupants.

While conducting immigration interviews, BPA Ahumada encountered Hernan GONZALEZ. BPA Ahumada reported he observed a large bundle on GONZALEZ left leg. BPA Ahumada stated he asked GONZALEZ to exit the bus, to which GONZALEZ consented. BPA Ahumada asked GONZALEZ if he was concealing anything. BPA Ahumada reported that GONZALEZ looked defeated, stared at the ground, and answered "No". At that time, GONZALEZ was escorted inside the checkpoint where he was patted down. During the pat down, BPA D. Hubner felt a large bundle on GONZALEZ left leg. At that time, GONZALEZ confessed that he was concealing a package of cocaine. GONZALEZ was taken into custody without incident.

One bundle of contraband was removed from GONZALEZ leg. The bundle was field-tested and reacted positive for the presence of cocaine. The bundle had weighed approximately 0.40 kilograms.

GONZALEZ was given his rights pursuant to the Miranda decision and stated he did not want to answer questions. GONZALEZ never requested a lawyer.

Special Agent David Bishop was contacted in reference to the arrest and seizure. SA Bishop along with Border Patrol Agent Jesse Villarreal, who is assigned to the DEA CCRO, responded to the checkpoint. SA Bishop read GONZALEZ his rights pursuant to the Miranda Decision, as witnessed by BPA Villarreal. GONZALEZ agreed to answer questions without a lawyer present. GONZALEZ stated he obtained the cocaine from a person he could not identify at the Stripes Convenient Store, located on F.M. 802 in Brownsville, Texas. GONZALEZ explained that once he was in possession of the cocaine he was taken to the bus station, where he purchased a one-way ticket to Houston, Texas. GONZALEZ stated the owner of the cocaine was going to pay GONZALEZ \$500.00 upon arrival in Houston, Texas. According to GONZALEZ the owner of the cocaine was going to meet GONZALEZ at the bus station in Houston.

GONZALEZ has served time in the state department of corrections for assault and possession of a controlled substance. At the time of his

arrest on September 28, 2014, GONZALEZ had an active warrant for his arrest from the Texas Board of Pardons and Parole.

SA Bishop contacted AUSA Chad Cowan who authorized prosecution of GONZALEZ.

The amount of cocaine infers possession with intent to distribute.